



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,032	04/05/2001	Carlos Alberto Bonilla	10007487-1	4845

7590 04/08/2004
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

ROCHE, TRENTON J

ART UNIT	PAPER NUMBER
----------	--------------

2124

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,032

Applicant(s)

BONILLA ET AL.

Examiner

Trent J Roche

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is responsive to Preliminary Amendment A filed 25 May 2001.

Claim Objections

2. Claim 20 objected to because of the following informalities: the use of the word 'install' appears to be a grammatical error. . Appropriate correction is required. For purposes of examination this will be interpreted to read "installed."

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,064,813 to Sitbon et al, hereafter referred to as Sitbon.

Regarding claim 1:

Sitbon teaches:

- a method for independent tool integration (Note Fig. 1 and the corresponding section of the disclosure)
- creating a tool definition file that defines tools, wherein the tools provide server filesets for installation on a server ("software which produces, from the properties information, scripts specific to each service which allow the application to be automatically integrated into the

Art Unit: 2124

services” in col. 2 lines 49-52. Further, the scripts are provided for facilitating the “launching of applications at a plurality of sites” in col. 2 lines 31-32)

- delivering the tool definition file to a directory on the server (“gathering this information and transmitting it to the conversion means” in col. 4 lines 4-5)
- executing a tool command against the tool definition file to integrate the tools (“The execution of this script...makes it possible to integrate this application...into the service...” in col. 4 lines 44-45)

substantially as claimed.

Regarding claim 2:

The rejection of claim 1 is incorporated, and further, Sitbon discloses single-system awareness tools as claimed (Note figure 2 and the corresponding section of the disclosure)

Regarding claim 3:

The rejection of claim 1 is incorporated, and further, Sitbon discloses multi-system awareness tools as claimed (Note figure 1 and the corresponding section of the disclosure)

Regarding claim 4:

The rejection of claim 1 is incorporated, and further, Sitbon discloses executing the tool command against the tool definition file to add new tools as claimed (“These scripts are executed at the end of the installation procedure specific to PL, and they allow the installed application APC to be recognized...” in col. 4 lines 58-60)

Art Unit: 2124

Regarding claim 5:

The rejection of claim 1 is incorporated, and further, Sitbon discloses executing the tool command against the tool definition file to modify old tools as claimed (“These scripts are executed at the end of the installation procedure specific to PL, and they allow the installed application APC to be recognized...” in col. 4 lines 58-60)

Regarding claim 6:

The rejection of claim 1 is incorporated, and further, Sitbon discloses delivering software products tools to managed nodes (“facilitates the launching of applications at a plurality of sites” in col. 2 lines 31-32. The application is inherently delivered for the application to execute at the sites.)

Regarding claim 7:

The rejection of claim 6 is incorporated, and further, Sitbon discloses delivering the software products tools to the managed nodes by copying or packaging the software products tools into software depot directories, providing agent filesets for installation on the managed notes, and using software distributor commands to distribute the agent filesets to managed nodes as claimed (Note Appendix 1 and the corresponding section of the disclosure. The files are copied to directories, and paths to filesets are provided. Further, the scripts are provided for facilitating the “launching of applications at a plurality of sites” in col. 2 lines 31-32, wherein software distribution commands are inherently present if the applications are to execute at the plurality of sites.)

Regarding claim 8:

Art Unit: 2124

The rejection of claim 7 is incorporated, and further, Sitbon discloses reinstalling the agent filesets on the managed nodes as claimed (“for reconfiguring the services...in order to take into account the new application” in col. 7 lines 55-56)

Regarding claim 9:

The rejection of claim 6 is incorporated, and further, Sitbon discloses delivering software products tools to managed nodes (“facilitates the launching of applications at a plurality of sites” in col. 2 lines 31-32. The plurality of sites constitute node groups.)

Regarding claim 10:

The rejection of claim 6 is incorporated, and further, Sitbon discloses a synchronization software to facilitate communication as claimed (“in a standardized Hyper Text Markup Language (HTML)...” in col. 8 lines 62-63)

Regarding claim 11:

The rejection of claim 10 is incorporated, and further, Sitbon discloses reinstalling the agent configure filesets into the software depot directories on the server as claimed (“conversion means...for receiving the transmitted information and converting the integration information into a set of script commands...executed at an end of an installation procedure of the new application...for reconfiguring the services...in order to take into account the new application...” in col. 8 lines 53-59)

Regarding claim 12:

Art Unit: 2124

Claim 12 recites an apparatus for performing the method of claim 1, and is rejected for the reasons set forth in connection with claim 1.

Regarding claim 13-19:

Claims 13-19 recite an apparatus for performing the methods of claim 4-8, 10 and 11, respectively, and are rejected for the reasons set forth in connection with claims 4-8, 10 and 11, respectively.

Regarding claim 20:

Sitbon teaches:

- a method for independent tool integration (Note Fig. 1 and the corresponding section of the disclosure)
- creating a tool definition file on a server that defines tools, wherein the tools provide server filesets for installation on a server (“software which produces, from the properties information, scripts specific to each service which allow the application to be automatically integrated into the services” in col. 2 lines 49-52. Further, the scripts are provided for facilitating the “launching of applications at a plurality of sites” in col. 2 lines 31-32)
- delivering the tool definition file to a directory on the server (“gathering this information and transmitting it to the conversion means” in col. 4 lines 4-5)
- executing a tool command against the tool definition file to add new tools to the tool definition file (“These scripts are executed at the end of the installation procedure specific to PL, and they allow the installed application APC to be recognized...” in col. 4 lines 58-60)

Art Unit: 2124

- executing a tool command against the tool definition file to modify old tools to the tool definition file (“These scripts are executed at the end of the installation procedure specific to PL, and they allow the installed application APC to be recognized...” in col. 4 lines 58-60)
- delivering software product’s tools to software depot directories to be installed on managed nodes using software distributor commands (Note Appendix 1 and the corresponding section of the disclosure. The files are copied to directories, and paths to filesets are provided. Further, the scripts are provided for facilitating the “launching of applications at a plurality of sites” in col. 2 lines 31-32, wherein software distribution commands are inherently present if the applications are to execute at the plurality of sites.)

substantially as claimed.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trent J Roche whose telephone number is (703)305-4627. The examiner can normally be reached on Monday - Friday, 9:00 am - 6:30 pm.

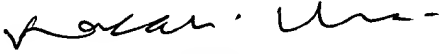
If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Kakali Chaki can be reached on (703)305-9662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2124

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trent J Roche
Examiner
Art Unit 2124

TJR


KAKALI CHAKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100